

June 2, 2004 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

04AN0263

William W. and Nancy C. Fraker

Midlothian Magisterial District
4061 Old Gun Road East

- REQUESTS:** I. A twenty-five (25) foot Variance to the 150 foot lot width requirement for an existing dwelling and a proposed addition or a proposed dwelling.
- II. A 6,458 square foot Variance to the 40,000 square foot lot area requirement for an existing dwelling and a proposed addition or a proposed dwelling.

RECOMMENDATION

Recommend approval of these Variances for the following reasons:

- A. Variances will not impair the character of this residential district.
- B. Variances will not reduce or impair the value of the buildings or property in the surrounding area.

NOTE:

The applicants must comply with the plat validation process.

GENERAL INFORMATION

Location:

This property is known as 4061 Old Gun Road East. Tax ID 742-726-1757 (Sheet 2).

Existing Zoning:

R-40

Size:

.77 acre

Existing Land Use:

Residential

Adjacent Zoning and Land Use:

North - R-40; Vacant
South - R-40; Residential
East - R-40; Vacant
West - R-40; Residential

Utilities:

Private well and public sewer

General Plan:

(Old Gun/Robious Plan)

Residential
(One (1) dwelling unit per acre or less)

DISCUSSION

The applicants have indicated there is an existing dwelling on the subject property. This dwelling was constructed in 1960 on 1.75 acres of land. In 1991 the property owner, L. T. Fraker, sold .98 acre to the adjacent property owner to the west, Virginia Power Boating Association. This created an illegal lot which was unable to meet the Zoning Ordinance requirements for lot width and square footage requirements. The applicants have indicated the property is 125 feet in width. The Zoning Ordinance requires a 150 foot lot width, therefore the applicants request a twenty-five (25) foot Variance. Also the applicants have indicated the property is 33,542 square feet. The Zoning Ordinance requires 40,000 square feet, therefore the applicants request a 6,458 square foot Variance.

The applicants provide the following justification in support of these requests:

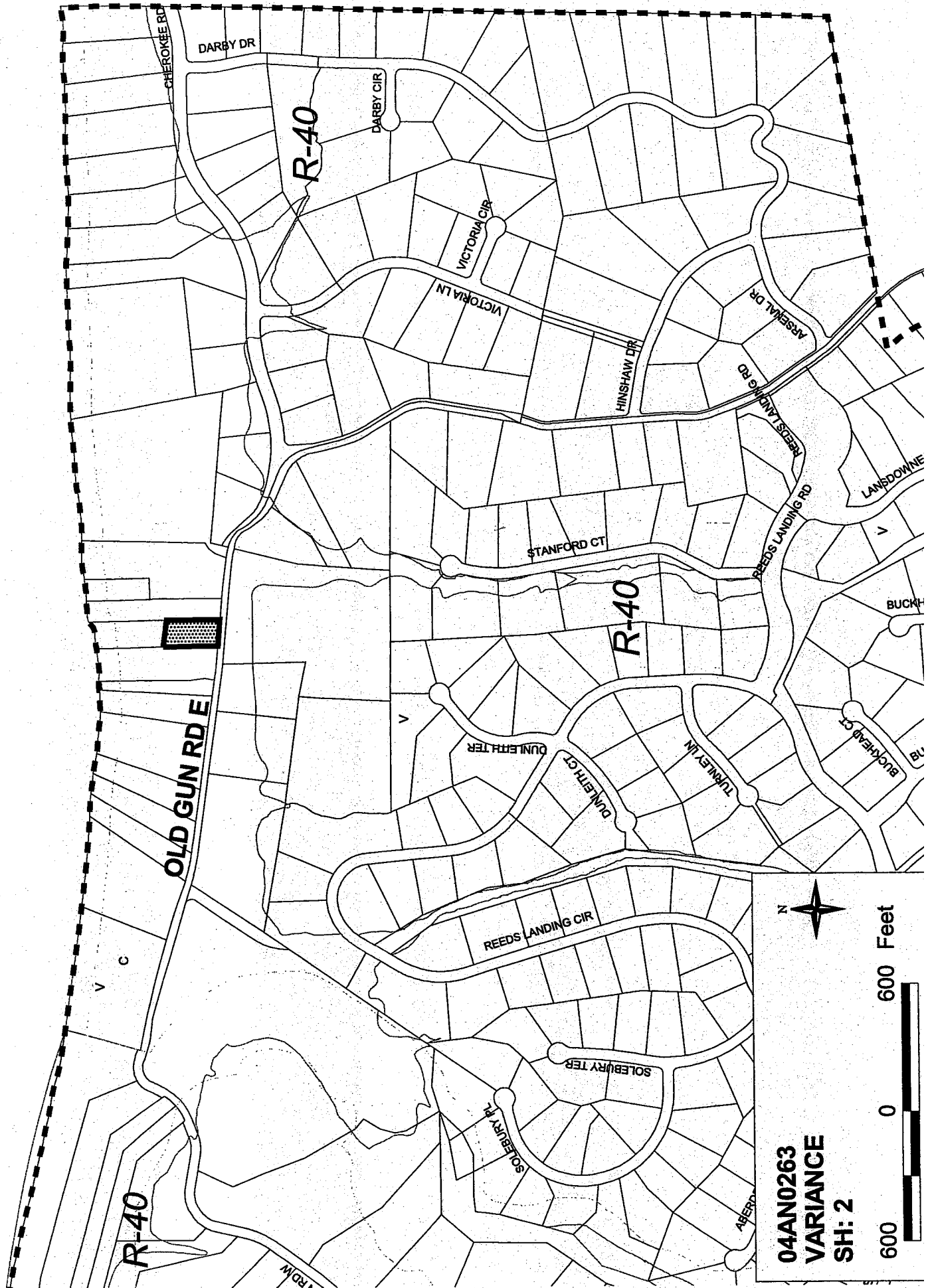
Nancy and William Fraker, the owners of the home, wish to either enlarge the existing home or have the option to build a new home to replace the existing home. There are no precise plans at this time. The existing home on the property was built in the 1960's by L. T. Fraker,

father of William Fraker. L. T. Fraker died in 2002, leaving the home to William and Nancy Fraker. When the home was built in the 1960's, it was on 1.75 acres of land. In 1991, L. T. Fraker sold .98 acre to the next door neighbor, Virginia Power Boating Association, leaving .77 acre remaining, which is not in compliance with the Zoning Ordinance.

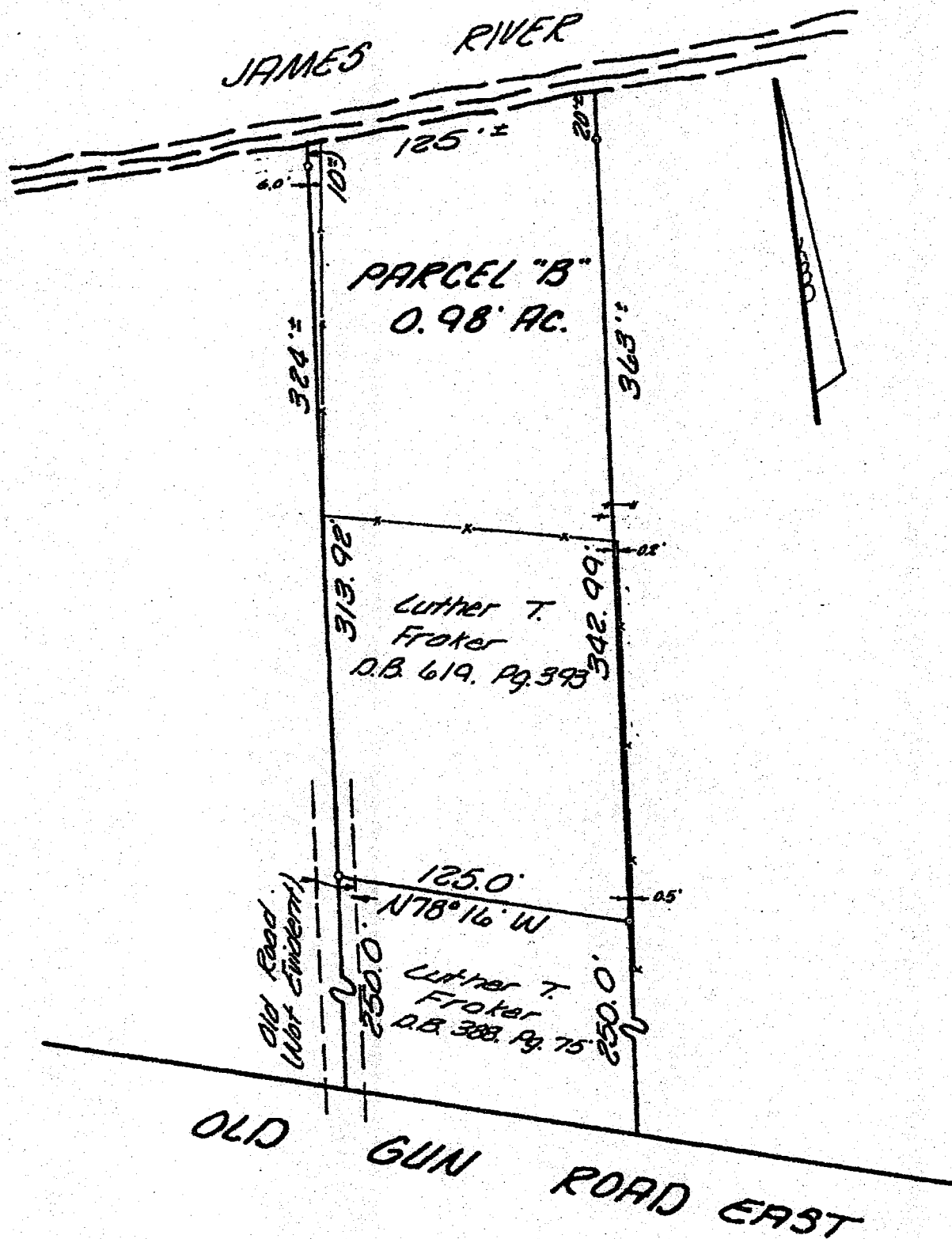
Staff visited the subject property and observed an existing dwelling. The applicants have indicated the dwelling was built in the 1960's and at that time met the Zoning Ordinance. In 1991, the property was reduced by .98 acre leaving .77 acre which created an illegal parcel. Therefore, the applicants must comply with the plat validation process.

Staff has reviewed the attached plat and application. Staff believes that this request will not reduce or impair the value of the dwellings or property in the area. Further, staff also believes this proposal to add an addition or construct a new dwelling will be an enhancement rather than a detriment to the property and the area in general. Therefore, staff recommends approval of this request.

RICHMOND



04AN0263
VARIANCE
SH: 2



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